Docket No. 216324US0PCT

OCT 17 2005

TENT AND TRADEMARK OFFICE IN THE UNITED

IN RE APPLICATION OF: Paul PAQUIN, et al.

GAU:

1761

SERIAL NO: 09/926,622

EXAMINER: BECKER, D. E.

FILED:

November 27, 2001

FOR:

INACTIVATION OF FOOD SPOILAGE AND PATHOGENIC

MICROORGANISMS BY DYNAMIC HIGH PRESSURE

NOTICE OF APPEAL

COMMISSIONER FOR PATENTS ALEXANDRIA, VIRGINIA 22313

SIR:

Applicants hereby appeal to the Board of Appeals from the decision dated May 16 2005.

The items checked below are appropriate:

☐ A Petition for Extension of Time Under 37 C.F.R. §1.136 was filed for

☐ A timely response to the final rejection has been filed, as provided in 841 O.G. 1411.

■ A Petition for Extension of Time for filing the Notice of Appeal is attached.

☐ A Pre-Appeal Brief Request for Review is attached.

Fee: \$500.00

☐ Applicant claims small entity status. See 37 CFR 1.27.

☐ A check is Enclosed

A credit card payment form is enclosed

☐ Charge to Deposit Account No. 15-0030 (an additional copy of this notice is enclosed herewith).

■ Please charge any additional fees or credit any overpayment of fees required for filing the Notice of Appeal to Deposit Account No. 15-0030. A duplicate copy of this Notice is enclosed.

If this notice is not considered timely filed by the U.S. Patent and Trademark Office, then a petition is hereby made under 37 C.F.R. §1.136, and any additional fees required under 37 C.F.R. §1.136 for any necessary extension of time may be charged to Deposit Account No. 15-0030. A duplicate copy of this Notice is enclosed.

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Customer Number

Tel. (703) 413-3000 Fax. (703) 413-2220 (OSMMN 07/05)

Respectfully Submitted,

OBLON, SPIVAK, McCLELLAND, MAIER & NEUSTADT, P.C.

Norman F. Oblon

Thomas M. Cunningham Registration No. 45,394